

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

TONY ALLEN PRESSLER,

Plaintiff,

v.

DOTTY CASINO AND EMPLOYEES, *et al.*,

Defendants.

Case No. 3:20-cv-00020-MMD-WGC

ORDER

Plaintiff Tony Allen Pressler attempts to sue various state and non-state actors under 42 U.S.C. § 1983 for events and actions apparently arising out of his criminal conviction for a robbery of a Dotty's Casino. (ECF No. 1-1.) The Court dismissed some of his claims without prejudice and with leave to amend (ECF No. 4 ("Prior Order")), and denied Plaintiff's motion for reconsideration (ECF No. 9). Plaintiff appealed those orders (ECF No. 10), but the Ninth Circuit recently dismissed his appeal for lack of jurisdiction (ECF No 12).

At the time Plaintiff filed his appeal, the Court (in the Prior Order) had ordered him to file an amended complaint within 30 days of April 8, 2020, and warned him that the Court would dismiss his case with prejudice if he did not do so. (ECF No. 4 at 3-4.) That deadline has passed. However, Plaintiff filed his appeal before the deadline expired, and it would be unfair to Plaintiff to dismiss his case with prejudice right now. The Court will therefore give Plaintiff an additional 30 days from the date of entry of this order to file an amended complaint if he chooses to do so. The Prior Order otherwise remains fully in effect. The Court advises Plaintiff to carefully review the Prior Order.

It is therefore ordered that, if Plaintiff chooses to file an amended complaint, he must file it within 30 days of the date of entry of this order. Any amended complaint must

1 be complete in and of itself without referring or incorporating by reference any previous
2 complaint. Any allegations, parties, or requests for relief from a prior complaint that are
3 not carried forwarded in the amended complaint will no longer be before the Court.
4 Plaintiff must also clearly title the amended pleading "AMENDED COMPLAINT."

5 It is further ordered that, if Plaintiff does not file an amended complaint within 30
6 days of the date of entry of this order, the Court will dismiss the remainder of his case
7 with prejudice.

8 DATED THIS 22nd day of May 2020.

9
10 

11 _____
12 MIRANDA M. DU
13 CHIEF UNITED STATES DISTRICT JUDGE
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28